

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION

GREGORY JACK ALMOND, <i>et al.</i> ,)	
)	
Plaintiffs,)	
)	
v.)	CASE NO. 3:19cv175-SRW
)	
)	
RANDOLPH COUNTY, ALABAMA, <i>et al.</i> ,)	
)	
Defendants.)	

ORDER

Defendants Randolph County, Randolph County Commission, Cofield, Clark, Sheppard, Strain, (Jimmy) Johnson, (Greg) Johnson, Dot, McDaniel, and Morrow¹ have filed a motion to stay this case pursuant to *Heck v. Humphrey*, 512 U.S. 477 (1994). Upon consideration, it is hereby

ORDERED that plaintiffs shall respond on or before **April 12, 2019**.

Additionally, the parties are hereby reminded that each has the right to consent or request reassignment. *See* Doc. 4. The parties should now make their selection in writing to consent or request reassignment. *See Rembert v. Apfel*, 213 F.3d 1331 (11th Cir. 2000); Fed. R. Civ. P. 73(b)(2) (the parties are free to withhold consent without fear of adverse substantive consequences). Accordingly, counsel are

DIRECTED to complete the appropriate attached form so that the form is received

¹ Counsel has not appeared for defendants Lane (added by amendment on April 3, 2019, *see* Doc. 20), Moore, or Walker.

by the Clerk on or before **April 10, 2019**.

Note: CONSENT FORMS MAY NOW BE SUBMITTED ELECTRONICALLY. If a party elects to complete the consent form, counsel may log into the Case Management/Electronic Case File (CM/ECF) system, select the Magistrate Judge Consent Form event, and electronically prepare and submit the form. In the alternative, counsel may complete the attached consent form and mail it to the Clerk of the Court. **Do NOT** electronically file the consent form into the record. If you have any questions about electronic consent submission, please contact the Clerk's Office.

If a party elects to complete the form requesting reassignment to a district judge, counsel must complete the attached form and mail it to the Clerk's Office. There is no option to log into CM/ECF and electronically submit the reassignment form. **Do NOT** electronically file the reassignment form into the record.

Done, on this the 4th day of April, 2019.

/s/ Susan Russ Walker
Susan Russ Walker
United States Magistrate Judge

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FOR THE MIDDLE DISTRICT OF ALABAMA

**EXPLANATION OF ASSIGNMENT TO
UNITED STATES MAGISTRATE JUDGE**

This civil case has been randomly assigned to a United States Magistrate Judge of this court. In accordance with 28 U.S.C. 636(c), the Magistrate Judges of this court are designated to conduct any and all proceedings in a jury or non-jury civil case and order the Entry of final judgment upon the consent of all parties to a case. Any appeal from a judgment entered by a Magistrate Judge is taken directly to the United States Court of Appeal for the Eleventh Circuit in the same manner as any appeal from any judgment entered in this court.

Any party to this lawsuit has the right to consent or decline consent to the jurisdiction of a Magistrate Judge. To exercise your right to consent you should complete the consent form and return it to the Clerk of the Court as indicated in the court's order. Litigants, without concern for any adverse consequences, freely may decline consent to the jurisdiction of a Magistrate Judge. If you decline consent to the jurisdiction of a Magistrate Judge, this case will be reassigned randomly to a District Judge.

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CONSENT TO JURISDICTION BY A UNITED STATES MAGISTRATE JUDGE

In accordance with the provisions of Title 28, U.S.C. § 636(c), the undersigned party or parties to the above-captioned civil matter hereby confirm in writing their consent to a United States Magistrate Judge's conducting any and all further proceedings in the case, including trial, and ordering the entry of a final judgment.

Date

Signature

Counsel For (**print** name of party or parties)

Address, City, State, Zip Code

Telephone Number

Return form to:

Debra Hackett, Clerk, United States District Court for the Middle District of Alabama,
1 Church Street, B110; Montgomery, Alabama 36104

OR

follow instructions in above order to complete online

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**REQUEST FOR REASSIGNMENT OF CASE
TO A UNITED STATES DISTRICT JUDGE**

The undersigned party has read the Notice of Assignment to United States Magistrate Judge and hereby declines to consent to the Magistrate Judge's exercise of civil jurisdiction in this case. The undersigned party requests reassignment of this case to a United States District Judge. The party understands that this request may not be revoked.

Date

Signature

Counsel For (**print** name of party or parties)

Address, City, State, Zip Code

Telephone Number

Return form to:

Debra Hackett, Clerk, United States District Court for the Middle District of Alabama,
1 Church Street, B110; Montgomery, Alabama 36104